

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

EYETALK365, LLC,

Plaintiff,

v.

BIRD HOME AUTOMATION, LLC,

Defendant.

Case No. 3:16-cv-00680

JURY TRIAL DEMANDED

PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

WHEREAS Plaintiff Eyetalk365, LLC (“Plaintiff”) and Defendant Bird Home Automation, LLC (“Defendant”) (collectively the “Parties”) have resolved Plaintiff’s claims for relief against Defendant that were asserted or that could have been asserted in this case pursuant to the settlement agreement executed by the parties;

NOW, THEREFORE, the Parties, through their attorneys of record, and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby file this Notice of Dismissal Without Prejudice, dismissing *without prejudice* Plaintiff’s claims for relief that were asserted or that could have been asserted against Defendant in this case subject to the settlement agreement executed by the parties. All attorneys’ fees, costs of court, and expenses shall be borne by the party incurring same.

Dated: February 13, 2017

/s/ Alan Parry

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